



BellSouth Telecommunications, Inc.
333 Commerce Street, Suite 2101
Nashville, TN 37201-3300

guy.hicks@bellsouth.com

April 30, 2002

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REGULATORY AUTH.
Guy M. Hicks
General Counsel
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OFFICE
EXECUTIVE SECRETARY

VIA HAND DELIVERY

David Waddell, Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37238

Re: *Petition of Cinergy Communications Company for Arbitration of an Interconnection Agreement with BellSouth Telecommunications, Inc. pursuant to the Telecommunications Act of 1996*

Docket No. 01-00987

Dear Mr. Waddell:

Enclosed are the original and thirteen copies of BellSouth's First Set of Interrogatories to Cinergy Communications Company. Copies of the enclosed are being provided to counsel of record.

Very truly yours,

Guy M. Hicks

GMH:ch

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
Nashville, Tennessee**

In Re: *Petition of Cinergy Communications Company for Arbitration of an Interconnection Agreement with BellSouth Telecommunications, Inc. pursuant to the Telecommunications Act of 1996*

Docket No. 01-00987

**BELLSOUTH TELECOMMUNICATIONS, INC.'S
FIRST SET OF INTERROGATORIES TO
CINERGY COMMUNICATIONS COMPANY**

BellSouth Telecommunications, Inc. ("BellSouth") hereby requests Cinergy Communications Company ("Cinergy") to provide answers in response to the following Interrogatories by May 21, 2002 pursuant to the Notice of Procedural Schedule issued in this docket on April 16, 2002.

INSTRUCTIONS

1. If any response required by way of answer to these Interrogatories is considered to contain confidential or protected information, please furnish this information subject to the protective order entered in this proceeding.
2. If any response required by way of answer to these Interrogatories is withheld under a claim of privilege, please identify the privilege asserted and describe the basis for such assertion.
3. These Interrogatories are to be answered with reference to all information in your possession, custody or control or reasonably available to you.

4. If any Interrogatory cannot be responded to in full, answer to the extent possible and specify the reason for your inability to respond fully. If you object to any part of an Interrogatory, answer all parts of the Interrogatory to which you do not object, and as to each part to which you do object, separately set forth the specific basis for the objection.

5. These Interrogatories are continuing in nature and require supplemental responses should information unknown to you at the time you serve your responses to these Interrogatories subsequently become known or should your initial response be incorrect or untrue.

DEFINITIONS

1. "Cinergy" means Cinergy Communications Company, any predecessors in interest, its parent, subsidiaries, and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of Cinergy.

2. "You" and "your" refer to Cinergy.

3. "Person" means any natural person, corporation, corporate division, partnership, other unincorporated association, trust, government agency, or entity.

4. "And" and "or" shall be construed both conjunctively and disjunctively, and each shall include the other whenever such construction will serve to bring within the scope of these Interrogatories information that would not otherwise be brought within their scope.

5. "Identification" or "identify" when used in reference to: (i) a natural individual, requires you to state his or her full name and residential and business address; (ii) a corporation, requires you to state its full corporate name and any names under which it does business, the state of incorporation, and the address of its principal place of business; (iii) a document, requires you to state the number of pages and the nature of the document (e.g., a letter or memorandum), its title, its date, the name or names of its authors and recipients, and its present location or custodian; (iv) a communication, requires you, if any part of the communication was written, to identify the document or documents which refer to or evidence the communication, and to the extent that the communication was not written, to identify the persons participating in the communication and to state the date, manner, place, and substance of the communication.

6. "Arbitration Petition" refers to the petition filed by Cinergy on October 18, 2000, requesting arbitration under Section 252(b) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996 ("Act").

7. "Incumbent Local Exchange Carrier" refers to the term as defined in Section 251(h) of the Act, as codified in 47 U.S.C. § 251(h).

INTERROGATORIES

1. State the number of residential customers in Tennessee for whom you are currently providing local service.

2. What percentage of the customers identified in response to No. 1 are located in BellSouth's Tennessee service territory.
3. State the number of access lines you are providing to your residential customers in TN and the percentage in BellSouth's Tennessee service territory.
4. For the access lines identified in response to No. 3 above, state how many are BellSouth lines you are reselling and how many are provisioned with UNE loops and/or UNE-P's purchased from BellSouth.
5. State the number of business customers in Tennessee for whom you are currently providing local service.
6. What percentage of the customers identified in response to No. 5 are located in BellSouth's Tennessee service territory?
7. State the number of access lines you are providing to your business customers in Tennessee and the percentage in BellSouth's Tennessee service territory.
8. For the access lines identified in response to No. 7 above, state how many are BellSouth lines you are reselling and how many are provisioned with UNE loops and/or UNE-P's purchased from BellSouth.
9. If you claim that you are impaired in your ability to provide service to customers in Tennessee without the ability to purchase unbundled packet switching from BellSouth, provide all analyses and contentions that you claim support your impairment argument.

10. Provide all documents that you contend support any assumptions used in such impairment analyses.

11. State whether you have received any price quotations for DSLAM equipment. If you have, provide the details of all quotations and all documents concerning such quotations.

12. State the number of access lines you have served in Tennessee for both residential and business customers in each month for the past 12 months.

13. State your churn rate in Tennessee for customers for whom you provide local service.

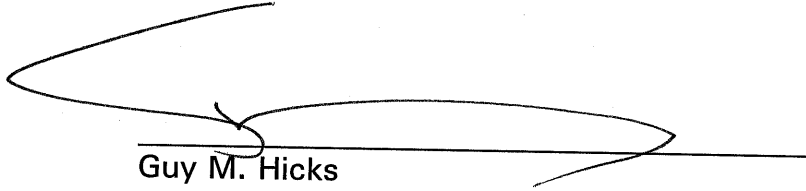
14. State the number of former Cinergy local service customers in Tennessee that have discontinued service with Cinergy in order to become customers of BellSouth. For any, please identify the name of the customer, the date Cinergy began providing local service to the customer, and the date Cinergy discontinued providing service to the customer.

15. If you contend that any BellSouth DSL customer in Tennessee determined not to become a Cinergy customer due to the fact that the customer believed that it would no longer be able to keep its DSL service, identify that potential customer with its name, address, and telephone number, state the date(s) Cinergy solicited the potential customer, and state what the potential customer said with respect to the alleged inability to continue to receive DSL service.

16. Produce all documents that you contend support your positions in this arbitration.

Respectfully submitted,

BELLSOUTH TELECOMMUNICATIONS, INC.

A large, stylized handwritten signature in black ink, appearing to be "Guy M. Hicks", is written over a horizontal line.

Guy M. Hicks
333 Commerce Street, #2101
Nashville, Tennessee 37201
(615) 214-6301

Andrew Shore
675 West Peachtree Street, N.E., #4300
Atlanta, GA 30375

CERTIFICATE OF SERVICE

I hereby certify that on April 30, 2002, a copy of the foregoing document was served on the parties of record, via the method indicated:

☐ Hand

☒ Mail

☐ Facsimile

☐ Overnight

☐ Electronic

Henry Walker, Esquire

Boult, Cummings, et al.

414 Union Street, #1600

Nashville, TN 37219-8062

hwalker@boultcummings.com

☐ Hand

☒ Mail

☐ Facsimile

☐ Overnight

☐ Electronic

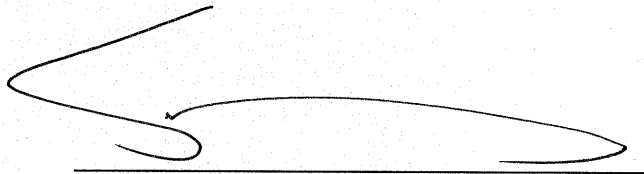
Bob Bye, Esquire

Cinergy Communications

8829 Bond Street

Overland Park, KS 66214

bye@cinergycom.com

A handwritten signature in black ink, appearing to read "Bob Bye", is written over a horizontal line.